

ORIGINAL

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS <b>FILED</b> <b>MAY 22 2017</b> CLERK, U.S. DISTRICT COURT By <u>[Signature]</u> 11:34 Deputy
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RHONDA FLEMING,  
Plaintiff,

v.

No. 4:17-CV-00360-Y

JURY TRIAL DEMANDED

EXPERIAN INFORMATION SOLUTIONS,  
INC., TRANS UNION CORPORATION,  
AND EQUIFAX INFORMATION SERVICES,  
Defendants.

### FIRST AMENDED COMPLAINT

The Plaintiff, Rhonda Fleming, brings this lawsuit against Defendants Experian Information Solutions, Inc., Trans Union Corporation, and Equifax Information Services.

### INTRODUCTION

This case arises out of the Defendants refusal to comply with state statutory laws requiring they provide the Plaintiff and other consumers with a copy of their credit report and score once a year, at no cost. All three Defendants are required to provide the credit report and have refused to do so for 10 years. Many federal prisoners have stated to the Plaintiff, who is a federal prisoner, that they requested their credit report and the Defendants refused to provide the report and score.

For 10 years, the Plaintiff has requested this information from the Defendants who have recklessly, knowingly, and willfully refused to provide the Plaintiff with her credit report and score.

When the Plaintiff made her request to all of the Defendants, she submitted the form used for the request, a copy of her prison

identification, a letter on Federal Bureau of Prisons letterhead by the prison administrator verifying the Plaintiff's custody in a prison (as well as the administrators contact phone number), and copies of letters from federal courts addressed to the Plaintiff proving her residence in a federal prison. The prison identification has the Plaintiff's date of birth.

The Defendants continued to deny the plaintiff her credit report, causing her to be a victim of identity theft, denying her the ability to report the crime because law enforcement authorities require a copy of the credit report showing unlawful inquiries and/or accounts opened in the name of the victim, and the Plaintiff loss money in certain bank accounts, to include Washington Mutual, Wachovia, Capital One, and Wells Fargo.

These losses caused the Plaintiff to suffer physical and mental pain, as well as poverty because of the identity theft that went unreported. The Plaintiff was hospitalized in March 2012, for 5 days, due in part to the denial of her credit information. The Plaintiff continues to suffer with anger, frustration, anxiety, headaches, irritable bowel syndrome and other ailments when she thinks about the Defendants knowingly and willfully refusing to abide by state and federal laws.

#### CAUSES OF ACTION & APPLICABLE LAWS

The Defendants have violated Chapter 20 of the Texas Business and Commerce Code and other Texas state laws requiring that they provide the Plaintiff with the credit report and score.

The Defendants have violated the Texas Consumer Credit Reporting Act, Section 20, under the provisions requiring credit reporting agencies to provide the Plaintiff with her credit report and score. The Defendants displayed reckless disregard for complying with the Act, put in place by the Texas state legislature to protect consumers.

For 10 years, the Plaintiff repeatedly supplied all necessary documents and information to obtain her credit report and score and the Defendants continue to refuse to provide the requested information. In addition, the Plaintiff sent letters to

the consumers services departments of each Defendant, but they all continued to refuse to provide the credit information, leaving the Plaintiff with the work and expense of filing a lawsuit in a state court to obtain the credit report and score.

RELIEF REQUESTED

The Plaintiff request the following relief:

1. Mandatory injunctive relief ordering all Defendants to promptly provide the Plaintiff with her credit report and score from 2007 to 2017.
2. Statutory, compensatory, and punitive damages of \$24,000 from each Defendant.
3. Interest and costs of \$7,750.00.
4. Reasonable attorney and paralegal fees.
5. Any other relief the Court deems necessary.

Respectfully Submitted,



Rhonda Fleming, Plaintiff

May 18, 2017

CERTIFICATE OF SERVICE

In accordance with Local Rule 5.1(d) the foregoing pleading was served in accordance with the CM/ECF filing system and the Plaintiff proceeding in forma pauperis, on this same day, has moved the Clerk of Court, pursuant to FRCP 4 and Tex. R. Civ. P. 103, to perform services to:

Attorneys for Trans Union Corporation -  
Strasburger & Price, LLP  
Attn: Monica Ramirez, Attorney  
2600 Dallas Parkway, Suite 600  
Frisco, Texas 75034

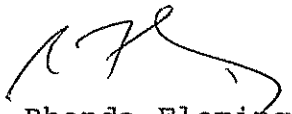
*Copy sent as  
courtesy to counsel*

Experian Information Solutions

475 Anton Blvd  
Costa Mesa, CA 92626

Equifax Information Services

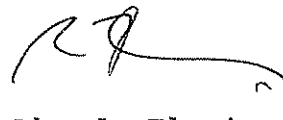
P.O. Box 740241  
Atlanta, GA 30374

  
Rhonda Fleming  
May 18, 2017

VERIFICATION  
PURSUANT TO 28 U.S.C. § 1746

My name is Rhonda Fleming and I am the Plaintiff in this lawsuit. I have personal knowledge of all facts stated in the pleading above, and I certify all facts are true and correct.

Executed on May 18, 2017.

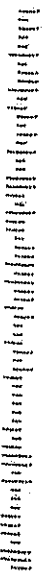
  
Rhonda Fleming

Name Shonda Fleming  
Reg. No. 20446-009  
Federal Medical Center, Carswell  
P.O. Box 27137  
Ft. Worth, TX 76127

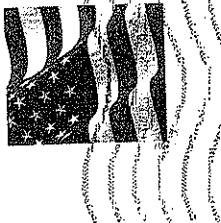
*Legal Mail*

⇔20446-009⇔  
U S Fed District Clerk  
501 W 10TH ST  
Room 310  
FORT Worth, TX 76102  
United States

76102875559



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FMC Carswell  
P.O. Box 21066  
Fort Worth, TX 76127  
5/19/17  
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